

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) Case No. 4:18 CR 975 CDP
)
DUSTIN BOONE,)
RANDY HAYS,)
CHRISTOPHER MYERS, and)
BAILEY COLLETTA,)
)
Defendants.)

ORDER

As discussed with counsel at the status hearing held on August 9, 2019:

IT IS HEREBY ORDERED that this case is reset for jury trial on **Monday, December 2, 2019 at 8:30 a.m.** This is a special setting.

IT IS FURTHER ORDERED that a final pretrial hearing will be held on **Wednesday, November 13, 2019 at 9:00 a.m.** All defendants must be present in person at that hearing. The parties will be expected to make a record, in accordance with *Missouri v. Frye*, 566 U.S. 134, 146-47 (2012), of the terms of any concessions offered or plea agreements proposed by the United States and rejected by each defendant. Counsel should also be prepared to discuss any outstanding discovery issues, including whether and to what extent early Jencks

Act material has been or will be produced, the expected length of trial and any particular security or logistical issues that might arise at trial. In advance of that hearing counsel for the government and defendants are directed to comply with each of the following procedures and deadlines:

1. Not later than **Friday, November 1, 2019** the United States must notify defense counsel of its intent to use evidence under Federal Rule of Evidence 404(b), 609 and 702, and must specifically describe the substance of that evidence.
2. Not later than **Friday, November 1, 2019** the United States must notify defendants of the particular portions of audio or video recordings that it intends to introduce into evidence. If the United States intends to provide transcripts of any recordings to the jury, it must provide those transcripts by the same date. The parties must promptly attempt to resolve any disputes as to the accuracy of the transcripts, and if disputes cannot be resolved then defendants must file any motion challenging the accuracy of any transcripts no later than **Friday, November 8, 2019**. The Court will resolve any disputes at the hearing, so if disputes exist the parties must be prepared to play the recordings and provide the transcripts at the November 13, 2019 hearing.

3. If the United States is proposing redaction of any statements to avoid problems under *Bruton v. United States*, 391 U.S. 123 (1968), it must notify defendants of those proposed redactions no later than **November 1, 2019**.

3. Not later than **Friday, November 8, 2019** the parties must file any motions in limine seeking to exclude or limit evidence.



CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 12th day of August, 2019.